

SENATE BILL 2589

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 59,  
Chapter 8, Part 3 and Title 59, Chapter 8, Part 4,  
relative to coal surface mining.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 59-8-407(b), is amended by adding the following as a new, appropriately designated subdivision:

( )

(A) Notwithstanding any provision of this part to the contrary, no waiver shall be granted by the commissioner for any proposed alteration to a mining or reclamation plan pursuant to this subsection (b) unless such alteration results in an improvement to at least seventy percent (70%) of the permitted land previously disturbed by mining.

(B) The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act, including but not limited to the establishment of criteria to accurately assess the degree of improvement based upon information submitted by the applicant. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.